

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA )  
                               )  
v.                          ) CASE NO. 05-10019-RGS  
                               )  
DANIEL W. McELROY,       )  
AIMEE J. KING McELROY, and )  
XIEU VAN SON              )  
                               )  
                               )

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**JOINT MOTION OF THE DEFENDANTS, DANIEL W. MCELROY AND  
AIMEE J. KING MCELROY TO CONTINUE ARRAIGNMENT  
UNTIL FEBRUARY 15, 2005**

The Defendants Daniel W. McElroy (“Mr. McElroy”) and Aimee J. King McElroy (“Mrs. McElroy”) move to continue their arraignment from February 8, 2005 at 12:30 p.m. to February 15, 2005 at 2:00 p.m. for the following reasons:

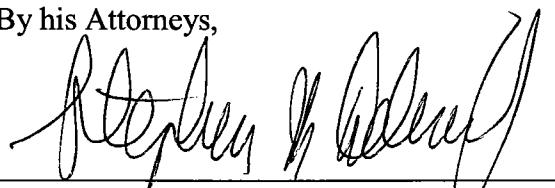
1. Counsel for Mr. McElroy has a sentencing scheduled in the case of United States v. Anthony Lavelly, 04 CR 10025-NG for 2:30 p.m. on February 8, 2005 and needs to meet with his client and other individuals on February 8, 2005 for many hours prior to the sentencing hearing.
2. Counsel for Mrs. McElroy is scheduled to start a civil trial, Microsoft Corporation v. Metrowest Computer Systems, Inc. and Kam Po Leung v. Pawtucket Mutual Insurance Company, 00 CV 10246-NG, on February 7, 2005 and will be on trial the entire week.

3. Counsel for both the Defendant, Xieu Van Son, Charles Rankin, Esquire and the government, Assistant United States Attorney Paul Levenson have assented to this motion.

WHEREFORE, the Defendants Mr. and Mrs. McElroy move that the Court continue the arraignment until February 15, 2005 at 2:00 p.m.

Respectfully Submitted,

DANIEL W. McELROY  
By his Attorneys,



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Andrew R. McConville (BBO #632804)  
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AIMEE J. McELROY  
By her Attorney:

  
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February 1, 2005